

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Case No. 3:10-CR-161-FDW

UNITED STATES OF AMERICA                  )  
    )  
    )  
    )       **ORDER OF FORFEITURE**  
v.    )       **OF SUBSTITUTE RES**  
    )  
    )  
MICHAEL J. FOLEY                          )  
    )  
    )

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THE COURT FINDS AS FOLLOWS: On September 1, 2010, this Court, Honorable David S. Cayer presiding, entered a Consent Order and Judgment of Forfeiture for, amongst other properties, the real properties at 2801 S. Ocean Blvd., Unit 634, North Myrtle Beach, South Carolina. A sale has been negotiated for the aforementioned properties and will generate \$26,510.10 in net proceeds.

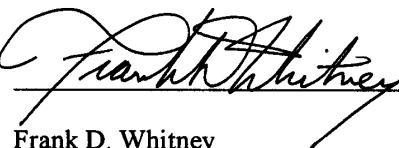
WHEREFORE, THE COURT ORDERS AS FOLLOWS:

1.       \$26,510.10 in net proceeds of the sale of the real properties at 2801 S. Ocean Blvd., Unit 634, North Myrtle Beach, South Carolina is forfeited to the United States, pursuant to 18 U.S.C. § 981 and/or 28 U.S.C. § 2461, as a substitute res for the real property at Unit 634.
2.       Upon the closing of the sale of the real property at Unit 634, the Government shall take possession and maintain custody of the \$26,510.10 in net proceeds.
3.       Upon receipt of the \$26,510.10 in net proceeds, the Government shall file a copy of this Order in the register of deeds and this order shall serve as notice that the Government has forfeited net proceeds in lieu of any interest of the Government in the real property.
4.       The Government shall provide notice of this Order in accordance with 21 U.S.C. § 853(n)(2) and other applicable law that any person, other than Defendant, asserting a legal interest in property which has been ordered forfeited to the United States may, within thirty days

of the final publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of his or her alleged interest in the property. Following the disposition of all timely petitions filed, a final order shall be entered.

IT IS SO ORDERED.

Signed: February 4, 2011



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Frank D. Whitney  
United States District Judge

